

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

MANUEL RADDATZ-LIMONES,)
(aka JUNIOR))
Defendant.)

CASE NO. 05-419 M

DETENTION ORDER

Offenses charged:

Count 1: Conspiracy to Distribute Methamphetamine, in violation of Title 21,
U.S.C., Sections 841(a)(1) and 841(b)(1)(A) and 846;

Count 2: Distribution of Methamphetamine, in violation of Title 21, U.S.C.,
Sections 841(a) and 841(b)(1)(A);

Count 3: Distribution of Methamphetamine, in violation of Title 21, U.S.C.,
Sections 841(a) and 841(b)(1)(A);

Count 4: Distribution of Methamphetamine, in violation of Title 21, U.S.C.,
Sections 841(a) and 841(b)(1)(A);

Count 8: Distribution of Methamphetamine, in violation of Title 21, U.S.C.,
Sections 841(a) and 841(b)(1)(B);

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Count 9: Possession with Intent to Distribute Methamphetamine, in violation of Title 21, U.S.C., Sections 841(a)(1) and 841(b)(1)(A);

Count 10: Maintaining a Drug Involved Premises, in violation of Title 21, U.S.C., Section 856(a)(2), and Title 18, U.S.C., Section 2;

Count 11: Possessing a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18, U.S.C., Section 924(c)(1)(A)(i); and

Count 12: Possessing a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18, U.S.C., Section 924(c)(1)(C)(i).

Date of Detention Hearing: August 29, 2005.

The Court, having conducted an uncontested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Patricia Lally. The defendant was represented by Jennifer Wellman.

The Government filed a Motion for Detention, to which the defendant stipulated.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) There is probable cause to believe the defendant committed the conspiracy drug offense. The maximum penalty is in excess of ten years. There is therefore a rebuttable presumption against the defendant's release based upon both dangerousness and flight risk, under Title 18 U.S.C. § 3142(e).

(2) Nothing in this record satisfactorily rebuts the presumption against release for several reasons:

(a) The defendant is viewed as a risk of non-appearance because he is a citizen and national of Mexico who is an illegal resident of the

1 United States; his background and ties to the district are unknown;
2 and BICE has filed a detainer.

3 (b) Due to the nature and seriousness of the crime alleged, in
4 combination with his immigration status and unknown
5 background, release of the defendant would pose a risk to the
6 community.

7 (c) The defendant stipulated to detention.

8 (3) Based upon the foregoing information which is consistent with the
9 recommendation of U.S. Pre-trial Services, it appears that there is no
10 condition or combination of conditions that would reasonably assure
11 future Court appearances and/or the safety of other persons or the
12 community.

13 **It is therefore ORDERED:**

14 (1) The defendant shall be detained pending trial and committed to the
15 custody of the Attorney General for confinement in a correction facility
16 separate, to the extent practicable, from persons awaiting or serving
17 sentences or being held in custody pending appeal;

18 (2) The defendant shall be afforded reasonable opportunity for private
19 consultation with counsel;

20 (3) On order of a court of the United States or on request of an attorney for
21 the Government, the person in charge of the corrections facility in which
22 the defendant is confined shall deliver the defendant to a United States
23 Marshal for the purpose of an appearance in connection with a court
24 proceeding; and

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1 (4) The clerk shall direct copies of this order to counsel for the United
2 States, to counsel for the defendant, to the United States Marshal, and to
3 the United States Pretrial Services Officer.

4 DATED this 30th day of August, 2005.

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8 Monica J. Benton
9 United States Magistrate Judge
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